

16-54 ESQUIVEL-QUINTANA V. SESSIONS

DECISION BELOW: 810 F.3d 1019

LOWER COURT CASE NUMBER: 15-3101

QUESTION PRESENTED:

Under federal law, the Model Penal Code, and the laws of forty-three states and the District of Columbia, consensual sexual intercourse between a twenty-one-year-old and someone almost eighteen is legal. Seven states have statutes criminalizing such conduct.

The question presented is whether a conviction under one of those seven state statutes constitutes the "aggravated felony" of "sexual abuse of a minor" under 8 U.S.C. § 1101(a)(43) (A) of the Immigration and Nationality Act - and therefore constitutes grounds for mandatory removal.

CERT. GRANTED 10/28/2016